

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:14CR3049
)	
v.)	
)	
FERNANDO MARTINEZ,)	MEMORANDUM
)	AND ORDER
Defendant.)	
_____)	

The defendant has submitted a letter that has been filed and construed as a motion for relief under the First Step Act. The defendant is not entitled to relief for several reasons. Among those reasons are these: (1) the defendant was convicted of a crime involving methamphetamine and the First Step Act does not apply; (2) he entered into a Rule 11(c)(1)(C) plea agreement that set his prison sentence at 180 months by agreement of the government and the defendant. Therefore,

IT IS ORDERED that:

(1) The letter (filing no. 96), construed as a motion for relief under the First Step Act, is denied.

(2) The Clerk shall mail a copy of this Memorandum and Order to the defendant at his last known address.

DATED this 20th day of August, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge